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TO : Examiner Lisa Cook
COMPANY : United States Patent and Trademark Office
FAX NO. : 1-571-273-0816
FROM : Naresh Sritharan, Esq.
RE : 0575/54205-B/JPW/AJM/NS

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: **21**

DATE : February 23, 2005

X CONFIDENTIAL

X URGENT

If this facsimile message has reached you in error, please notify us by collect telephone and return it by the Postal Service, as it may contain attorney privileged and confidential information.

MESSAGE:

Further to our telephone conference of today, I transmit herewith a copy of a Request to Correct Inventorship Under 37 C.F.R. §1.48(a) in connection with John O' Connor et al., METHODS FOR PREDICTING PREGNANCY OUTCOME IN A SUBJECT BY HCG ASSAY, U.S. Serial No. 09/311,428, filed May 13, 1999, including a Declaration Under 37 C.F.R. §1.48(a)(2) (**Exhibit A**); signed Declaration and Power of Attorney (**Exhibit B**); Written Consent of Assignee (**Exhibit C**); a copy of a recorded assignment from John O' Connor and Steven Birken to The Trustees of Columbia University in the City of New York (**Exhibit D**); and a Certificate of Mailing dated September 25, 2001.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (212) 278-0400.

FILE

Applicant John O'Connor et al.
Client Columbia- 0575 File No. 54205-B Atty. JPW/SHS/MVM
Date September 25, 2001

Kindly acknowledge receipt of the accompanying

Request to Correct Inventorship Under 37 C.F.R. §1.48(a) in connection with John O'Connor et al., METHODS FOR PREDICTING PREGNANCY OUTCOME IN A SUBJECT BY HCG ASSAY, U.S. Serial No. 09/311,428, filed May 13, 1999, including Declaration Under 37 C.F.R. §1.48(a)(2) (Exhibit A), signed Declaration and Power of Attorney (Exhibit B), Written Consent of Assignee (Exhibit C), a copy of a recorded Assignment from John O'Connor and Steven Birken to The Trustees of Columbia University in the City of New York (Exhibit D) and a Certificate of Mailing dated September 25, 2001.

by placing your receiving date stamp hereon and returning to us.

Applicant John O'Connor et al.
Client Columbia- 0575 File No. 54205-B Atty. JPW/SHS/MVM
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by placing your receiving date stamp hereon and returning to us.

Dkt. 54205-B/JPW/SHS/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John O'Connor et al.
Serial No.: 09/311,428 Group Art Unit: 1641
Filed : May 13, 1999 Examiner: L. Cook
For : METHODS FOR PREDICTING PREGNANCY OUTCOME IN A
SUBJECT BY hCG ASSAY

1185 Avenue of the Americas
New York, New York 10036
September 25, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REQUEST TO CORRECT
INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

This Request To Correct Inventorship Under 37 C.F.R. §1.48(a) is submitted in order to correct the inventorship in the above-identified patent application ("subject application").

Applicants hereby request under 37 C.F.R. §1.48(a) that inventorship of the subject application be corrected. Applicants have determined that the inventorship of the claimed invention is incorrect because an actual inventor was inadvertently not named as an inventor.

The currently named inventors in the subject application are the following: John O'Connor and Steven Birken.

Please add Galina Kovalevskaya as an inventor of the claimed invention. A Declaration Under 37 C.F.R. §1.48(a)(2) executed by Galina Kovalevskaya which states that the error in inventorship occurred without deceptive intent is attached hereto as Exhibit A.

Upon correction, the inventors in the subject application will be John O'Connor, Steven Birken and Galina Kovalevskaya.

Applicants : John O'Connor et al.
Serial No. : 09/311,428
Filed : May 13, 1999
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Applicants attach hereto as Exhibit B a Declaration executed by John O'Connor, Steven Birken and Galina Kovalevskaya as required by 37 C.F.R. §1.63.

Applicants also respectfully request that the United States Patent and Trademark Office issue a corrected filing receipt upon the entry of this amendment.

In addition, the currently named inventors of the invention claimed in the subject application, i.e., John O'Connor and Steven Birken, assigned their rights in the subject application to The Trustees of Columbia University in the City of New York. The Assignment was recorded on December 1, 1999 in the United States Patent and Trademark Office at reel number 010420, frames 0364-0366. A Written Consent Of The Assignee to add Galina Kovalevskaya as an inventor in the subject application is attached hereto as Exhibit C.

The Assignee's ownership is established, under 37 C.F.R. §3.73, by submission of a true copy of the recorded Assignment, which is attached hereto as Exhibit D.

Applicants are concurrently filing an Assignment of rights in the subject invention and patent application from Galina Kovalevskaya to The Trustees of Columbia University in the City of New York in which Galina Kovalevskaya will assign her entire right, title and interest to any and all inventions disclosed and/or claimed in the subject application. Accordingly, the Assignee will still own the entire right, title and interest to any and all inventions disclosed and/or claimed in the subject application.


Applicants hereby authorize the United States Patent and Trademark Office to charge the amount of \$130.00 as set forth in 37 C.F.R. §1.17(i) to cover the processing fee.


Applicants : John O'Connor et al.
Serial No. : 09/311,428
Filed : May 13, 1999
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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone either of them at the number provided below.

No fee, other than the \$130.00 processing fee is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

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| I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. | |
|  | 9-25-01 |
| John P. White | Date |
| Reg. No. 28,678 | |
| Spencer H. Schneider | |
| Reg. No. 45,923 | |


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